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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,891	11/18/2003	Roberto Marcos Cabrera-Llanos	206,336	9414

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EXAMINER

HUG, ERIC J

ART UNIT PAPER NUMBER

1731

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/716,891	<b>Applicant(s)</b> CABRERA-LLANOS ET AL.	
	<b>Examiner</b> Eric Hug	<b>Art Unit</b> 1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 6-10,14 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-10,14 and 17-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Response to Amendment**

The following is in response to the amendment filed on September 6, 2005.

***Claim Rejections - 35 USC § 112***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 6-10, 14, and 17-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "said flow of air or gas" on page 10, line 18. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "said first flow of air or gas" to correspond to the feature previously recited on page 10, lines 11-12.

Claim 17 also recites the limitation "an exit end" on page 11, line 8, and follows with the limitation "each discharge end" on page 11, line 10. There is insufficient antecedent basis for "each discharge end" in the claim, and it is uncertain whether an "exit end" is the same or different as a "discharge end". (Note that amended claim 8 also recites "discharge ends").

Claim 18 recites the limitation "the flow of air or gas" on page 12, line 22. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the first flow of air or gas" to correspond to the feature previously recited on page 12, line 15.

Claim 18 also recites the limitation "at least an exit end" on page 13, line 12, follows with the limitation "each one of the exit ends" on page 13, line 14, then follows with the limitation "the exit end" on page 14, line 3. It is uncertain whether one or more exit ends are being claimed.

Claim 18 also recites the limitation "the main fluid chamber" on page 13, line 11. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the main chamber" to correspond to the feature previously recited on page 13, line 4.

Claim 21 recites the limitation "the flow of air or gas" on page 15, line 16. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the first flow of air or gas" to correspond to the feature previously recited on page 15, line 9.

Claim 21 also recites the limitation "at least an exit end" on page 16, line 8, follows with the limitation "each one of the exit ends" on page 16, line 10, then follows with the limitation "the exit end" on page 16, line 16. It is uncertain whether one or more exit ends are being claimed. The claim also recites "a pair of discharge ends" on page 16, line 18. It is uncertain if there is any difference between an "exit end" and a "discharge end".

Claim 21 also recites the limitation "the main fluid chamber" on page 16, line 7. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the main chamber" to correspond to the feature previously recited on page 15, last line.

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Claim 22 recites the limitation "the flow of air or gas" on page 17, next to last line. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the first flow of air or gas" to correspond to the feature previously recited on page 17, line 15.

Claim 22 also recites the limitation "at least an exit end" on page 18, line 12, follows with the limitation "each one of the exit ends" on page 18, line 14, then follows with the limitation "the exit end" on page 18, line 20. It is uncertain whether one or more exit ends are being claimed.

Claim 22 also recites the limitation "the main fluid chamber" on page 18, line 11. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the main chamber" to correspond to the feature previously recited on page 18, line 4.

Claim 23 recites the limitation "the flow of air or gas" on page 20, line 5. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the first flow of air or gas" to correspond to the feature previously recited on page 19, line 20.

Claim 23 also recites the limitation "at least an exit end" on page 20, line 18, follows with the limitation "each one of the exit ends" on page 20, line 20, then follows with the limitation "the exit end" on page 21, line 3. It is uncertain whether one or more exit ends are being claimed.

Claim 23 also recites the limitation "the main fluid chamber" on page 20, line 17. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the main chamber" to correspond to the feature previously recited on page 20, line 10.

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Claim 24 recites the limitation "the flow of air or gas" on page 22, line 9. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the first flow of air or gas" to correspond to the feature previously recited on page 22, line 2.

Claim 24 also recites the limitation "at least an exit end" on page 22, next to last line, follows with the limitation "each one of the exit ends" on page 23, line 1, then follows with the limitation "the exit end" on page 23, line 7. It is uncertain whether one or more exit ends are being claimed.

Claim 23 also recites the limitation "the main fluid chamber" on page 22, line 21. There is insufficient antecedent basis for this limitation in the claim. It appears this should read "the main chamber" to correspond to the feature previously recited on page 22, line 14.

All other claims depend from one of the above claims.

#### ***Allowable Subject Matter***

All claims are allowable over the prior art as indicated previously.

#### ***Response to Arguments***

Applicant's arguments filed September 6, 2005 have been considered.

The arguments and amendments to the claims have overcome the rejection of claims 2, 8, 13, and 14 under 35 U.S.C. 112, second paragraph, the rejection of claims 1-4, 11-13, 15, and 16 under 35 U.S.C. 103(a) over Love et al (US 3,535,529), and the rejection of claims 1, 2, 4, 13,

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15, and 16 under 35 U.S.C. 103(a) over Daman et al (US 4,391,581), all set forth previously. A new grounds of rejection under 34 U.S.C. 112, second paragraph, is set forth above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



jeh